

18. The service provider node of Claim 1, wherein the parsed resume data is searched and manipulated to track job applicant fields contained in the template.

19. The method of Claim 10, further comprising:

searching and manipulating the parsed resume data to track job applicant fields contained in the template.

20. The method of Claim 11, wherein the form letters are communications with the job applicants.--

REMARKS

Applicants wish to thank Examiner Ouellette for granting the interview with Applicants' representatives. The claims have been amended further to the Examiner's suggestions during the interview conducted on January 16, 2003.

Upon entry of the foregoing amendments, Claims 1-20 are pending in the application, with Claims 1 and 8-10 being the independent claims.

35 U.S.C. § 112 Rejections Addressed

Claim 6 was rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention. Applicants respectfully traverse this rejection and submit that the specification does teach tracking source information for tracking a headhunter's efficiencies as claimed in Claim 6. (See, *e.g.*, Specification, page 6, lines 12-17).

35 U.S.C. § 103(a) Rejections Addressed

Claims 1-10 are pending and are rejected under 35 U.S.C. 103(a) as being unpatentable over Wiens, et al. (U.S. Patent No. 6,353,376) in view of Reuning (U.S. Patent No. 6,381,592). To the extent this rejection is applicable to the claims currently pending, Applicants respectfully traverse the rejection for the following reasons.

With regard to each of the rejections under 35 U.S.C. § 103(a) in the Office Action, it is respectfully submitted that the Examiner has not set forth a *prima facie* case of obviousness. The PTO has the burden, under section 103, to establish a *prima facie* case of obviousness. In re Fine, 5 U.S.P.Q. 2d 1596, 1598 (Fed. Cir. 1988). The case law of the Federal Circuit and PTO policy make clear that where a modification must be made to the prior art to reject or invalidate a claim under section 103, there must be a showing of proper motivation to do so. See M.P.E.P. § 2143.01. The mere fact that a prior art reference could arguably be modified to meet the claim is insufficient to establish obviousness. The PTO “can satisfy this burden only by showing some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead that individual to combine the relevant teachings of the references.” In re Fine, 5 U.S.P.Q. 2d at 1598. In order to establish obviousness, there must be a suggestion or motivation in the reference to do so. See In re Gordon, 221 U.S.P.Q. 1125, 1127 (Fed. Cir. 1984) (prior art could not be turned upside down without motivation to do so); In re Lee, 61 U.S.P.Q. 2d 1430, 1433-34 (Fed. Cir. 2002).

In the Office Action rejection, the Examiner indicates that it would have been obvious to combine the cited references to accomplish the advantages of the present invention. See, e.g., Office Action, page 4, ¶ 12. In the Examiner’s analysis, however, no motivation for combining the cited references is stated. This is an insufficient showing of motivation. See M.P.E.P. § 2143

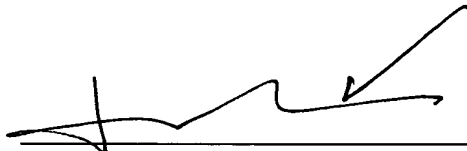
(explaining that the motivation to combine must be found in the cited references and not in the Applicants' disclosure).

Applicants submit that claims 1 and 8-10 are therefore in condition for allowance. As Claims 2-7 and 11-20 depend from allowable Claims 1 and 8-10, Applicants submit that these claims are likewise allowable.

Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. The Examiner is invited to contact the undersigned by telephone should the Examiner believe that personal communication will expedite prosecution of this application.

Respectfully submitted,

PIPER RUDNICK LLP

A handwritten signature in black ink, appearing to read 'Steven B. Kelber', is written over a horizontal line.

Steven B. Kelber
Registration No. 30,073
Attorney of Record

Lisa Norton
Registration No. 44,977

1200 Nineteenth Street, N.W.
Washington, D.C. 20036-2412
Telephone No. (202) 861-3900
Facsimile No. (202) 223-2085

SERIAL NO. 09/665,757

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MARKED-UP COPY OF AMENDED CLAIMS

1. (Amended) A service provider node comprising:

a client program for accessing web, gopher and other Internet sites that allows users to read documents and navigate between the documents stored in a plurality of resume warehouses;

a communications link with the plurality of resume warehouses;

a communications link with at least one client;

an application for parsing job applicant data from the plurality of resume warehouses and placing parsed resume data into a template; and

an application for collecting the parsed resume data and storing the parsed resume data in a database.

8. (Amended) A service provider node comprising:

a client program for accessing web, gopher and other Internet sites that allows users to read documents and navigate between the documents stored in at least one resume warehouse;

a communications link with the plurality of resume warehouses;

a communications link with at least one client;

an application for parsing job applicant data from the at least one resume warehouse and placing parsed resume data into a template; and

an application for collecting the parsed resume data and storing the parsed resume data in a database.

9. (Amended) A method for resume storage and retrieval from multiple resume warehouses comprising the steps of:

establishing a communications link between a service provider and at least one client;
providing a client program for accessing web, gopher and other Internet sites that allows users to read documents and navigate between the documents stored in at least one resume warehouse;

establishing a communications link with at least one resume warehouse;
parsing job applicant data from the at least one resume warehouses and placing parsed resume data into a template; and

collecting the parsed resume data and storing the parsed resume data in a database.

10. (Amended) A method for resume storage and retrieval from multiple resume warehouses comprising the steps of:

establishing a communications link between a service provider and at least one client;
providing a client program for accessing web, gopher and other Internet sites that allows users to read documents and navigate between the documents stored in a plurality of resume warehouses;

establishing communications link with the plurality of resume warehouses;
parsing job applicant data from the plurality of resume warehouses and placing parsed resume data into a template; and

collecting the parsed resume data and storing the parsed resume data in a database.